IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.7249 of 2006
DATED 8-3-2007

BETWEEN
Gutam Venkatamma.

.. Petitioner

And

The Superintendent of Police, Warangal
and others.

.. Respondents

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.7249 of 2006

ORDER:

The case of the petitioners is that they are the owners and possessors of an extent of Ac.1.25 guntas in survey No.623 situate at Waddepalli, Wangal Municipal Corporation and that the said property is their ancestral property. The first petitioner's husband has also filed a declaration under Section 6(1) of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act') declaring the land in question as his property and basing on the said declaration, draft statement under Section 8(3) of the Act has been prepared by the competent authority holding that he is entitled to retain an extent of 2000 square meters and the rest of the land of 4573 square meters was declared as excess land to be surrendered. Final

orders were also passed under Section 10(3) of the Act. Aggrieved by the same, the petitioners filed an application before the competent authority to allot the excess land to them as per G.O.Ms.No.455 and 456 dated 29.7.2002 and as the said request was declined, petitioners filed W.P.No.25579 of 2002. It is also stated that the petitioners have filed O.S.No.185 of 2005 on the file of the I Additional Senior Civil Judge, Warangal against respondent No.5 and others for injunction restraining them from interfering with their peaceful possession and enjoyment of the said land and accordingly the Court has also granted injunction orders in I.A.No.347 of 2005 dated 27.54.2005. While so, the unofficial respondents 4 to 6 herein have come to the said land along with the 3rd respondent on 6.4.2006 and took measurements of the land and that the 3rd respondent threatened the petitioners with dire consequences if they interfere with the activities of the unofficial respondents 4 to 6. It is stated that respondents 4 to 6 have no right or authority to interfere in the civil disputes and instead of protecting the rights of the legal owners, they are entertaining the illegal activities of the unofficial respondents.

Counter has been filed by the 3rd respondent denying all the allegations levelled against him inter alia stating that he is not aware of the ownership of the land in question as also about filing of the writ petition and a civil suit. He further stated that owners of plot Nos.54 and 55 in Survey No.623/C by name B.Kishan Rao and B.Shoba lodged separate complaints against the 2nd petitioner on 5.4.206 at P.S.Khazipet alleging that the 2nd petitioner along with some others trespassed into their lands and destroyed the

constructions made by them and they have also filed the title deeds and photographs to show the demolition of their constructions. Therefore, he called the 2nd petitioner to the police station and advised them to approach the Civil Court and thereafter the 2nd petitioner left the police station. It is further stated that the allegation of the petitioners that the 2nd petitioner was beat by the 3rd respondent is false and denied.

In view of the categorical denial of the allegations made in the affidavit filed in support of the writ petition with regard to the interference of the police officials in the civil disputes, no further orders are required to be passed in this writ petition. The W.P is accordingly closed. No costs.

V.ESWARAIAH,J

Dt.8.3.2007